

# WASHINGTON STATE DEPARTMENT OF HEALTH OCCUPATIONAL THERAPY PRACTICE BOARD MEETING/RULES WORKGROUP SESSION MINUTES

Friday, March 5, 2004

9:00 AM

Point Plaza East 310 Israel Rd SE, Tumwater, WA 98501

On March 5, 2004, the Occupational Therapy Practice Board met at the Department of Health, Point Plaza East, 310 Israel Rd SE, Tumwater, Washington. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

## **MEMBERS PRESENT**

WENDY HOLMES, OT, CHAIR  
CATHERINE WHITING, OT, VICE CHAIR  
D. JILL PETRIE, COTA  
MARK LEHNER, OT  
VACANT, PUBLIC MEMBER

## **STAFF PRESENT**

KRIS WAIDELY, PROGRAM MANAGER  
JENNIFER BRESSI, PROGRAM MANAGER  
PETER HARRIS, STAFF ATTORNEY  
KRISTEN MITCHELL, AAG ADVISOR  
GAIL ZIMMERMAN, EXECUTIVE DIRECTOR  
VICTORIA PALMER, PROGRAM REPRESENTATIVE

## **GUESTS PRESENT**

NANCY DINSMORE, OT  
JENNIFER HOPPS, OT

## **OPEN SESSION**

### **1. CALL TO ORDER**

- 1.1 Approval of Agenda  
Agenda approved with additions.
- 1.2 Approval of Meeting Minutes from December 2, 2003  
Minutes approved as presented.
- 1.3 Approval of Meeting Minutes from March 2, 2004  
Minutes approved as presented.

## **CLOSED SESSION – 9:05 AM**

- 2. **EXECUTIVE SESSION** – Gail Zimmerman, Executive Director met with the board for executive session.

## **OPEN SESSION – 9:15 AM**

- 3. **BOARD ELECTIONS** – The board nominated and elected Wendy M. Holmes, OT as Board Chair and Catherine Whiting, OT as Vice-Chair.

4. **NBCOT ANNUAL MEETING** – The Board determined Wendy M. Holmes will attend the NBCOT annual meeting. The Board agreed to change the April 23, 2004 meeting to May 17, 2004 to be held in Yakima.
5. **POLICY REVIEW** – The Board approved and signed the Complaints Against Board Member policy as presented.
6. **DYSPHAGIA TECHNIQUE SCOPE OF PRACTICE QUESTION** – The Board reviewed and discussed an e-mail received from Jennifer Hopps. Ms. Hopps attended the meeting and voiced her concerns to the Board. The Board decided to have Jennifer Bressi and Kristen Mitchell, AAG, draft a letter of response.
7. **NEW POLICY PROPOSAL** – The Department has asked that Boards and Commissions to delegate moving cases from assessment to investigative phase with this proposed policy. The Board approved the policy with below amendments.
  - 5.1. Remove specific case type of “Record/billing discrepancy”
  - 5.2 Add policy condition of “Case Management Team will refer any of the above cases to a Reviewing Board Member prior to investigation if appropriate.”
8. **LICENSING LIMITED PERMIT** – The Board discussed current rules relating to limited permits. The Board decided to develop a policy and make modifications to the licensure application. The Board will begin developing this policy and make application modifications at their next board meeting.
9. **RCW 18.59.070 APPLICANTS LICENSED IN OTHER STATES OR TERRITORIES** – The Board discussed and determined they would like to pursue this licensure option. Jennifer Bressi will begin researching other state requirements and provide a comparison matrix at the next board meeting.
10. **SEXUAL MISCONDUCT POLICY** – The Board discussed the current sexual misconduct policy and determined they would like to create a rule.
11. **WOTA ANNUAL CONFERENCE** – The Board discussed their participation at the annual conference September 30, 2004 through October 2, 2004. Wendy Holmes and Jennifer Bressi will contact WOTA to make conference arrangements.
12. **PROGRAM REPORT** – Information provided to the Board by the Program Manager
  - 12.1 Organizational Changes-
    - Jennifer Bressi introduced Victoria Palmer new program staff, and Kristen Mitchell, new AAG advisor
    - Peter Harris, new staff attorney will be assisting Lisa Pannone with Board disciplinary cases when needed.
  - 12.2 Legislative Update

- 12.2.1.1 Current copy of House Bill 2326 relating to UDA. Gail Zimmerman provided the Board an overview of 2326 and 2834 legislative bills.
- 12.3 Budget Update- the below items was provided to the board:
  - Amended Business plan
  - Corrected revenue projections
  - Interim budget reports for July 2003 through January 2004
- 12.4 New Travel form-
  - The Board was provided an updated travel form for use.
- 12.5 Planning for Upcoming Meetings
  - List of Rules that the Board has previously determined to open for writing.
  - Limited License policy
  - Amendments to OT application
  - RCW 18.59.070, research information
  - Response letter to Jennifer Hopps on Dysphagia
  - Case Review procedure Overview
  - Listserv Overview
  - Travel Procedure Overview
- 12.6 Provided for the Board's Information
  - HPQA information
  - NBCOT exam payment information
  - NBCOT's Final Rule on Healthcare Professionals Seeking Occupational Visas has been Published by the Bureau of Citizenship and immigration Services
  - NBCOT's final rule of the Illegal Immigration Reform and Immigration responsibility Act of 1996
  - NBCOT informational memo regarding OT certification framework.
  - NBCOT Certification Update newsletter
  - Copy of survey completed for AOTA regarding OT regulatory boards.
  - NBCOT Announces a Significant Four-Year Decline Trend in Candidates
  - NBCOT memo with 2004 Candidate, Overseas Testing Information, and Renewal Handbooks. Ms. Bressi has the handbooks available for review or will make copies upon request.

## **CLOSED SESSION - 12:50 PM**

### **13. CASE REVIEW**

Case 2004-02-0002OT – ACTION: Send case to investigations (ISU)

## **OPEN SESSION Rules Drafting Session 1:00 PM**

**14. RULES** – The Board reviewed public comments on the draft rules language. Any decision on the language are as follows:

- WAC 246-847-010 Definitions – The daily supervision was changed to weekly. A new draft was completed.
- WAC 246-847-065 Continued Competency – The term “must” was changed to “may”. Detailed acceptable documentation was listed for each continued competency item. A new draft was completed.
- WAC 246-847-120 Foreign Trained Applicants – Catherine Whiting, OT Board Vice Chair, researched NBCOT’s application/verification process for examination applicants. Ms. Whiting informed the Board that NBCOT requires more from foreign trained applicants than our current rule. The Board decided to develop a rule that accepts all applicants that have already been approved by NBCOT.
- WAC 246-847-170 Code of ethics and standards of professional conduct – No further amendments were made - draft acceptable as presented.

Catherine Whiting, OT Vice-Chair volunteered to write a short article for the WOTA newsletter about the rules the Board is currently working on and plan to work on in the future.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 4:50 p.m.

Respectfully submitted:

Approved:

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Jennifer Bressi  
Program Manager

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Wendy Holmes, OT, Chair  
Occupational Therapy Practice Board